

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4071

IN THE MATTER OF:

Served March 24, 1993

Application of AWARDS LIMOUSINE)
SERVICES, INC., for a Certificate)
of Authority -- Irregular Route)
Operations)

Case No. AP-93-04

By application filed February 1, 1993, and amended February 4, 1993, Awards Limousine Services, Inc. (ALS or applicant), a Delaware corporation, seeks a certificate of authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

Notice of this application was served on February 8, 1993, in Order No. 4050, and ALS was directed to publish further notice in a newspaper and file an affidavit of publication. ALS complied. The application is unopposed.

SUMMARY OF EVIDENCE

ALS's application includes information regarding, among other things, its corporate status, equipment, facilities, safety fitness, proposed tariff, finances, and regulatory compliance record.

ALS proposes to commence operations with two vehicles having a seating capacity of 20-25 passengers each. Applicant's proposed tariff contains airport transfer rates and hourly charter rates.

ALS's president certifies on its behalf that applicant has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Applicant filed a balance sheet as of December 31, 1992, showing current assets of \$1,166; net fixed assets of \$186,677; other assets of \$6,609; current liabilities of \$43,619; long-term liabilities of \$242,843; and negative equity of \$92,010. Applicant's operating statement for the twelve months ended December 31, 1992, shows operating income of \$327,369; operating expenses of \$325,532; and net income of \$1,837. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$51,430; other operating income of \$308,570; operating expenses of \$349,500; and net income of \$10,500.

It is certified that neither ALS nor any person controlling, controlled by, or under common control with ALS has any control relationship with a carrier other than ALS.

DISCUSSION AND CONCLUSION

This case is governed by the Compact, Title II, Article XI, Section 7(a), which provides in relevant part that:

. . . the Commission shall issue a certificate to any qualified applicant . . . if it finds that --

(i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and

(ii) that the transportation is consistent with the public interest.

A member of the Commission's staff observed applicant transporting passengers in its vehicles in Bethesda, MD, on February 3 and 4, 1993. Applicant's president acknowledged that these passengers were being transported for hire between points in Bethesda. Applicant's president explained that he had filed an application with this Commission to cover proposed operations between MD, on the one hand, and DC and VA, on the other, and that he thought applicant's MD Public Service Commission authority was sufficient to cover intra-Bethesda operations. Upon being apprised of this Commission's jurisdiction, applicant's president agreed to promptly discontinue the intra-Bethesda operations until such time as the instant application is approved. We will require applicant to file an affidavit indicating compliance with the Compact after February 4, 1993.

Based on the evidence in this record, the Commission finds ALS to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. It is further found that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That Awards Limousine Services, Inc., One Bethesda Metro Center, Bethesda, MD, 20814, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

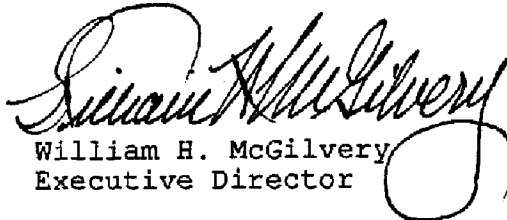
2. That Awards Limousine Services, Inc., is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; (f) a notarized affidavit of identification of vehicles

pursuant to Commission Regulation No. 61, for which purpose WMATC No. 219 is hereby assigned; and (g) an affidavit of compliance with the Compact since February 4, 1993.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 219 shall be issued to Awards Limousine Services, Inc.

4. That unless Awards Limousine Services, Inc., complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may direct or allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director

